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ABSTRACT

Noting that a deep concern about the suppression of ideas in the public schools of the United States is very much a part of the collective consciousness of the school library profession, the implications of intellectual freedom for school library personnel and for library collection development are explored. The position of the school library in the legal framework, with particular emphasis on the state of Maryland, is followed by a discussion of the significance of the Library Bill of Rights and of legal cases that apply to the freedom to read and to the rights of students to access information and ideas. It is argued that the role of parents in educating children should not be diminished nor their concerns taken lightly; the procedures of a school library must accommodate each parents' rights and beliefs. Finally, it is argued that the library collection must support the curriculum and provide for a diverse population with varying learning styles. Six guidelines are provided for taking censorship issues into account when developing library collections. The appendixes include the Library Bill of Rights and a list of eight selected cases related to intellectual freedom. A bibliography of books, articles, films, and video programs on intellectual freedom is also provided. (GL)

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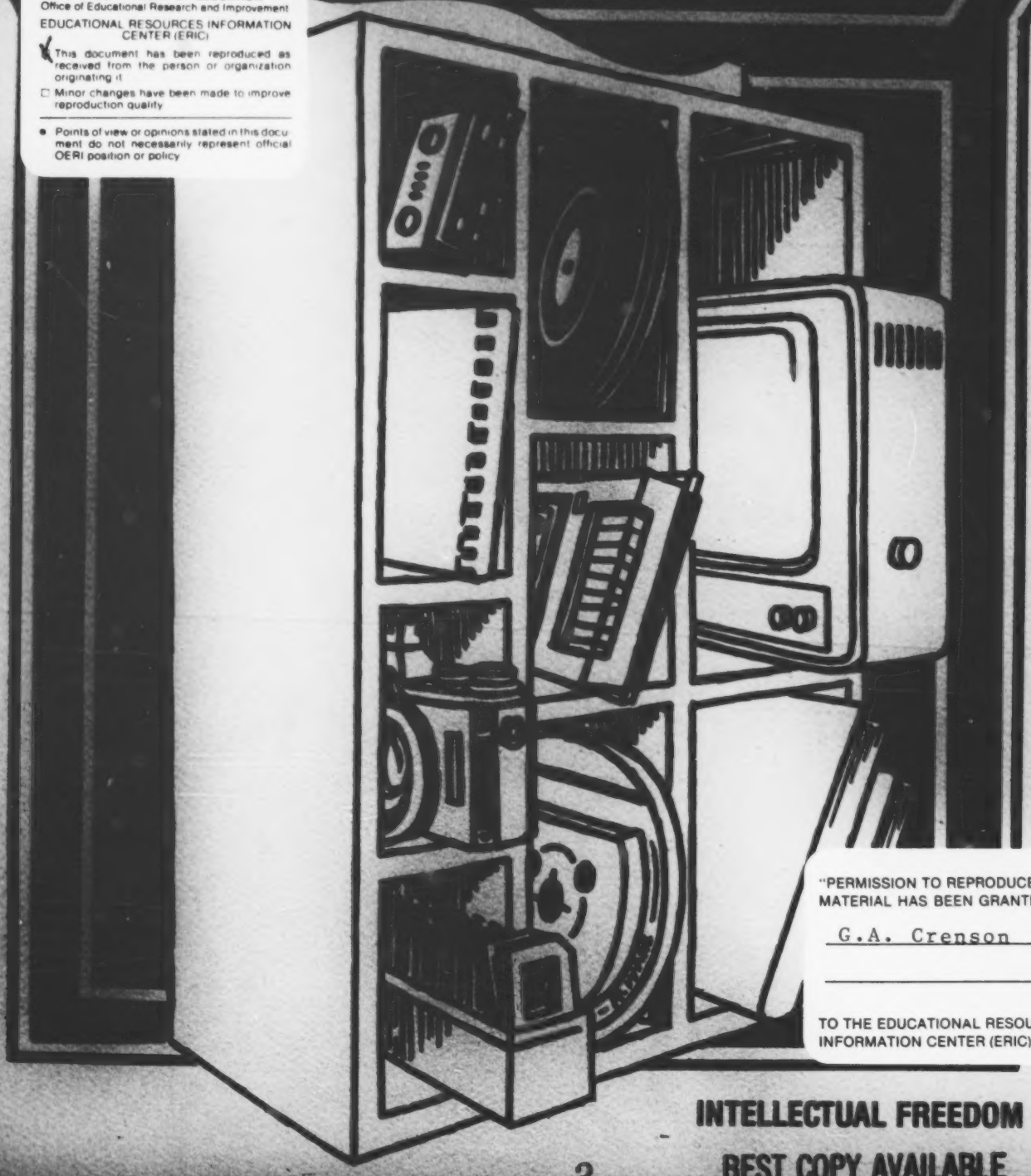

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Intellectual Freedom

By Frances C. Dean

A deep concern about the suppression of ideas in the public schools of this country is very much a part of the collective consciousness of the school library profession. School librarians know censorship exists and are familiar with precedent-setting cases of *Williams and Williams* v. *The Board of Education of the County of Kanawha*; *Minarcini* v. *Strongsville City School District*; and *Pico* v. *Board of Education, Island Trees Union Free School District et al.* But for most school librarians, the concepts and implications of censorship and intellectual freedom are nearly overwhelming in their interpretation by individuals and their legal ramifications. Or as one librarian said, "When suppression of ideas affects me and my library, it's intellectual freedom, and when someone else is the target, it's censorship."

Intellectual freedom means the expression of ideas in a free and open society. For the school librarian, it most often means the freedom to read by students. This freedom to read derives from the First Amendment to the Constitution, which reads:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Censorship can be defined as a suppression of ideas. The suppressed ideas may be associated with a religious conviction, a belief, or a way of life about which various factions of our society do not agree. The censor inflicts his or her beliefs on another individual by denying that individual free access to information in any medium of communication.

The librarian and the collection are focal points for censorship challenges, primarily because the librarian has the responsibility to develop and administer the collection, which may contain books and other materials that are offensive to some individuals. So how does one shoulder the responsibility of making information available to students and staff?

First, one needs to understand both where the school library fits in the legal framework of public education and what levels of control govern the school's instructional program. In Maryland, the school library is an integral part of a school's instructional program and the library media program derives its authority from Bylaw 13A.05.04.01. The policies of a local school system are issued by the local board of education, which has the responsibility to mandate an evaluation and selection policy governing the selection of those instructional materials used by students. *Building Library Media Collections: Policies and Procedures for Evaluation and Selection of Instructional Materials*, issued by the Maryland State Department of Education, delineates applicable policies and procedures for Maryland's school libraries.

Frances C. Dean, Director, Department of Instructional Resources, Montgomery County Public Schools, Rockville, Maryland, 1988.

The Library Bill of Rights specifies one level of control for which the school librarian is responsible in the upholding of intellectual freedom. This bill of rights is the library profession's interpretation of how the First Amendment should govern the library program (see Appendix I). Another level of control is, of course, those legal cases that directly apply to the freedom to read and to the rights of students to access information and ideas. Justice Abe Fortas, in *Tinker* v. *Des Moines Community School District*, wrote:

> It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate. . . . In our system, students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate.

Although school librarians do not need an intimate knowledge of such cases as *Epperson* v. *Arkansas*, *President's Council*, or *New Jersey* v. *T.L.O.*, they should have some knowledge of relevant legal decisions to be better prepared for challenges to intellectual freedom. A list of important cases is presented in Appendix II.

The role of parents in the education of their children should not be diminished nor their concerns taken lightly. Parents have rights as individuals as well as responsibility for their children. Just as the Bill of Rights protects the minority point of view in a democratic society of majority rule, so must the procedures of a school library accommodate each parents' rights and beliefs.

Those instructional materials whose appropriateness for school use are questioned by parents usually reflect societal changes that threaten the parent's beliefs, ideas, and lifestyle.

To preserve the intellectual freedom of students, librarians may need to convey to parents that "the hallmark of any democracy worthy of the name is that freedom of inquiry flourishes there. The reason that it is allowed to flourish is because it is recognized that no person or party or group is so wise as to be in possession of all truth. Since no one person or group possesses all truth, no one group or person can claim the right to declare truth for others and to limit the freedom on inquiry."[1]

It is essential that the library collection support the curriculum and provide for a diverse population with varying learning styles. The following recommendations are offered for consideration:

1. Forget the censor when developing and implementing an evaluation and selection system. Ensure that your school selects materials that support quality education for all.
2. Remember the censor when developing a step-by-step procedure for the reevaluation of materials in response to any citizen's complaint. These procedures should apply to all materials in any subject area and for all grade levels.
3. Remember that the protection of intellectual freedom and those freedoms guaranteed under the First Amendment is everyone's responsibility. However, the local school board, as the representative body, should endorse a policy statement outlining basic principles of intellectual freedom, an effective evaluation and selection procedure, and the means to implement that procedure.

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[1]Blair G. Ewing, *MCCPTA Spotlight*, January 1975.

4. Remember that parents who raise questions about materials are not necessarily censors, and that they have a right to know about the materials their child is using or being exposed to.

5. Be prepared to respond to the censor in an orderly manner. If you are the object of a censorship challenge, proceed judiciously. Follow the systemwide procedures to the letter. Present the facts and conditions under which the challenge took place, in writing, to the one person to whom you are immediately responsible. Do not discuss the issue with anyone who is not directly involved. And lastly, keep your cool and maintain a low profile.

6. Remember that the unified teaching profession, the National Council of Teachers of English, the American Library Association, and the Freedom To Read Foundation are all concerned with the rights guaranteed under the First Amendment. They are rights that apply to everyone.[2]

It is evident that the issue of censorship will be around until well into the 90s, but surely we have learned from our experiences of the 60s and 70s, and that dearly acquired knowledge will help us to cope with the challenges that confront us in the future.

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[2]Frances C. Dean, "Reaction to Donelson's 'What to do Before the Censor Arrives'," *Today's Education*, January/February 1975, p. 25.

Appendix I

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948. Amended February 2, 1961, and January 23, 1980, by the ALA Council.

Appendix II

Selected Cases

Bicknell v. *Vergennes Union High School Board of Directors* (1979)

Brown v. *Board of Education* (1954–55)

Epperson v. *Arkansas* (1968)

Minarcini v. *Strongsville City School District* (1976)

Pico v. *Board of Education, Island Trees Union Free School District et al.* (1978)

Tinker v. *Des Moines Indiana Community School District* (1969)

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Appendix III

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